

# Notice of Allowability

Application No.

10/049,549

Examiner

Terressa M. Boykin

Applicant(s)

BORER ET AL.

Art Unit

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8-22-7.
2. ☒ The allowed claim(s) is/are 9, 11, 13, 15-21, 23-25, 27.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.


**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Terressa M. Boykin  
Primary Examiner  
Art Unit: 1711

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

On page 1 line 1 of applicants Specification the following has been inserted therein:

-This application is a 371 of PCT/CH00/00317 filed 06/09/2000.-

### **Correspondence**

**Please note that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site ([www.uspto.gov](http://www.uspto.gov)), from the Office of Public Records and from commercial sources. Applicants may be referred to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Terressa Boykin whose telephone number is 571 272-1069. The examiner can normally be reached on Monday through Friday from 6:30am to 3:00pm.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. The general information number for listings of personnel is ( 571-272-1700).

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tmb

A handwritten signature in black ink, appearing to read "Terressa Boykin".

**Examiner Terressa Boykin**  
**Primary Examiner**  
**Art Unit 1711**

*Dictionary.com Unabridged (v 1.1) – Cite This Source*

sieve   - Show Spelled Pronunciation[siv] Pronunciation Key - Show IPA

Pronunciation *noun, verb, sieved, siev·ing.*

*-noun*

1. an instrument with a meshed or perforated bottom, used for separating coarse from fine parts of loose matter, for straining liquids, etc., esp. one with a circular frame and fine meshes or perforations.
2. a person who cannot keep a secret.  
*-verb (used with object), verb (used without object)*
3. to put or force through a sieve; sift.

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[Origin: bef. 900; ME *sive*, OE *sife*; c. D *zeef*, G *Sieb*; akin to SIFT]



*—Related forms*

**sievelike**, *adjective*

*Dictionary.com Unabridged (v 1.1)*

*Based on the Random House Unabridged Dictionary, © Random House, Inc. 2006.*

*American Heritage Dictionary – Cite This Source*

sieve   (sīv) [Pronunciation Key](#)

**n.** A utensil of wire mesh or closely perforated metal, used for straining, sifting, ricing, or puréeing.

**v.** *sieved, siev·ing, sieves*

**v.** *tr.*

To pass through a sieve.

**v.** *intr.*

To use a sieve; sift.

[Middle English sive, from Old English sife.]

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*The American Heritage® Dictionary of the English Language, Fourth Edition*

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*Online Etymology Dictionary – Cite This Source*

#### **sieve**

O.E. sife "sieve," from P.Gmc. \*sibi (cf. M.Du. seve, Du. zeef, O.H.G. sib, Ger. Sieb), of unknown origin. Related to sift. The verb is recorded from 1499. Sieve and shears formerly were used in divinations.

*Online Etymology Dictionary, © 2001 Douglas Harper*

*WordNet – Cite This Source*

#### **sieve**

##### *noun*

1. a strainer for separating lumps from powdered material or grading particles

##### *verb*

1. examine in order to test suitability; "screen these samples"; "screen the job applicants" [syn: screen]
2. check and sort carefully; "sift the information"
3. separate by passing through a sieve or other straining device to separate out coarser elements; "sift the flour" [syn: sift]
4. distinguish and separate out; "sift through the job candidates"

*WordNet® 3.0, © 2006 by Princeton University.*

*Kernerman English Multilingual Dictionary (Beta Version) – Cite This Source*

#### **sieve** [siv] *noun*

a container with a bottom full of very small holes, used to separate liquids from solids or small, fine pieces from larger ones etc